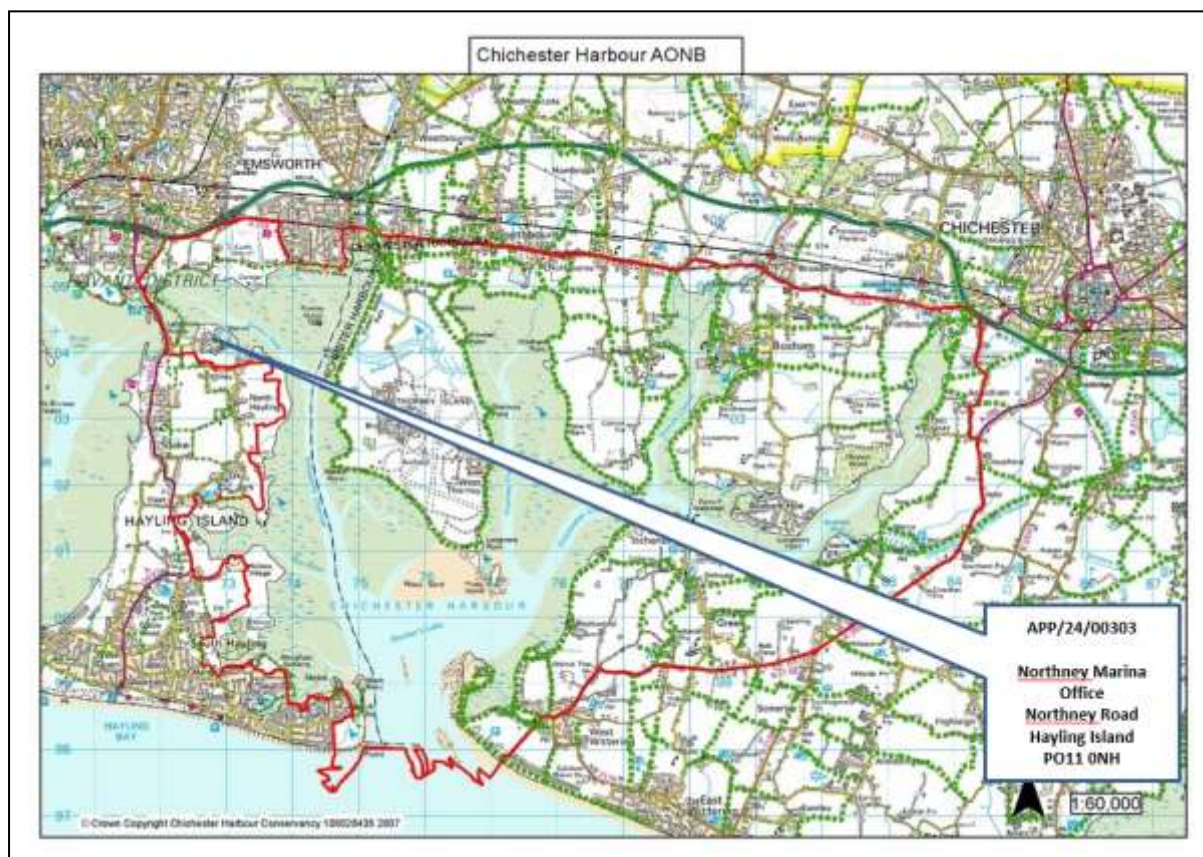


Local Planning Authority planning application reference: APP/24/00303

Site: Northney Marina Office, Northney Marina, Hayling Island, PO11 0NH

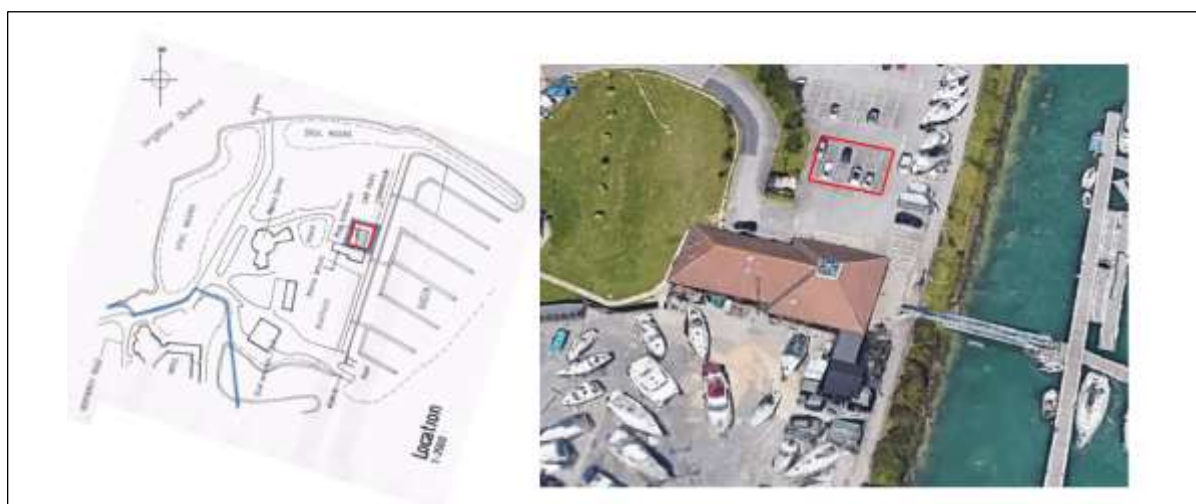
Proposals: Variation of Condition 5 of APP/23/00469 to allow use of Unit 3 as a gym



RECOMMENDATION – Objection; on the basis that such uses are supposed to be located in defined town or local centres with at least some evidence otherwise submitted to demonstrate that no such sites are available. Also potential for noise and light pollution given the stated 24 hours a day operation proposed.

Conservancy Officers' comments and reasoned justification

1.0 Site and its context



- 1.1 Area of car parking adjacent to Marina Office, approximately shown by the red line in the aerial photograph above (75.78 sq.m) and approved plan below, with marina pontoons to east, boat storage ares to south and 'Rotunda' building to west (now residentially converted as permitted development). A large naturally landscaped strip exists between the site and The Harbour to the north-west. Industrial units used for boat repairs, etc, are located south-east of the site. Some views of the application site are seen below. At the time of your Officer's recent site visit, no work had started to implement planning permission AP/23/00469.



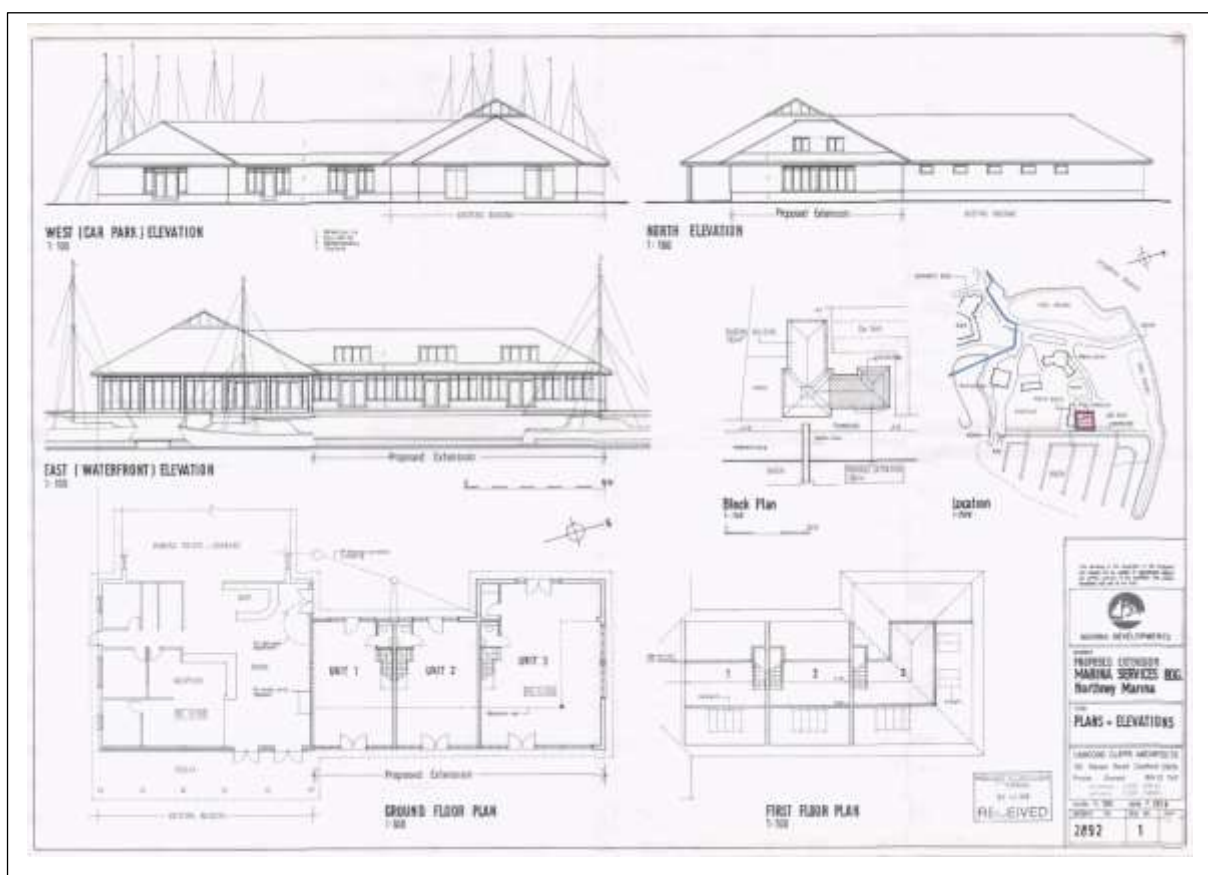
- 1.2 The site is not within the 'urban area', nor any defined commercial 'centre' in terms of the adopted local plan.

2.0 **Relevant planning history**

- 2.1 **02/51153/038** - Demolition of existing marina office and toilets, erection of single storey Marina Services building and associated external works- Conditional permission on 2 September 2002.

- 2.2 Planning permission was first granted for an extension to the marina office under reference **APP/18/00873** for an extension to the Marina office building on 2 October 2018 (seen below). The 3 new units were to be occupied by firms specialising in –

- Boat sales/brokerage;
- Instruction; and,
- Boat owner services.



At that time, office space was also to be created in the roofspace of the extension. Unit 3 is the most north-westerly of the 3 units that were going to be formed in the extension. Condition 3 of that permission required –

"The development hereby permitted shall be used solely for marine related uses as set out below and for no other purpose without agreement in writing by the Local Planning Authority:

(a) Boat Sales/Brokerage

- Boat Sales, Charter/Rental and Agency Management
- Insurance/Finance services
- Boat Servicing/Valeting

(b) Instruction

- Specialist training, Sailing Schools
- Marine Inspection/Surveying and Marina Safety generally, including related equipment provision and maintenance

(c) Boat Owner Services

- General Chandlery supplies including clothing
- Specialist services installations
- Boat transfer/handling and maintenance management
- Specialist operatives (e.g. Communications/Navigation) without workshop requirements"

With the reason for the condition specified as –

"To ensure that uses are compatible with and complementary to the existing use of the site and to prevent unsustainable non-marine uses at the site having due regard to policies CS17, CS20 and DM9 of Havant Borough Local Plan 2011 and the National Planning Policy Framework".

The Conservancy made no comments on that application.

- 2.3 Planning permission APP/18/00873 was renewed under reference APP/22/00479, granted 11 November 2022. Again, condition 3 required what condition 3 to APP/18/00873 had required, for the same reasoning, with a slight tweak to the condition wording preamble which reads –

"Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the development hereby permitted shall be used solely for marine related uses as set out below and for no other purpose without agreement in writing by the Local Planning Authority:".

Conservancy Officers had commented –

"No objection, subject to the planning conditions imposed on APP/18/00783 being reimposed to this consent, especially condition 3, with an additional condition added removing the permitted development rights that would allow the offices to be lost to residential conversion".

- 2.4 Planning permission APP/22/00479 was renewed under reference APP/23/00469, granted 21 December 2023, whose description of development was expanded to allow solar panels to be fitted to the roof –

"Single storey extension to existing Marina Services Building (Renewal of Planning Permission AP/22/00479) including installation of 72 Solar Panels".

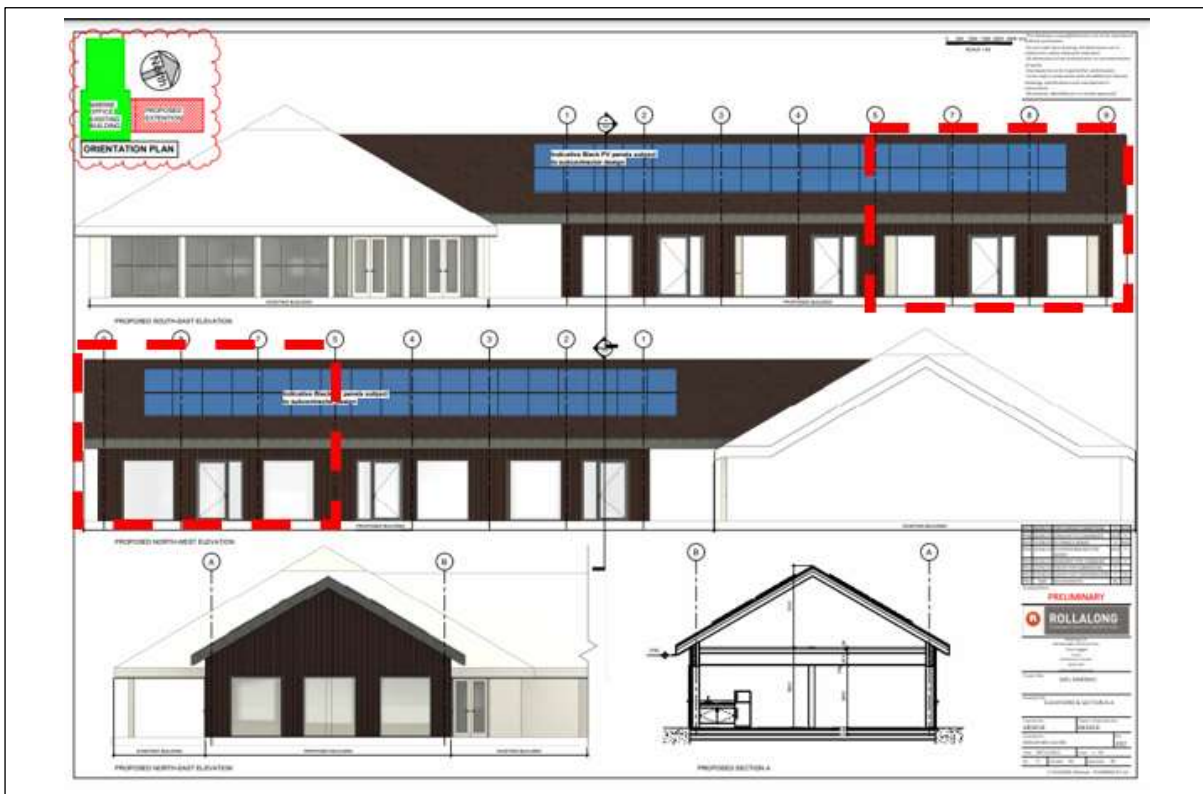
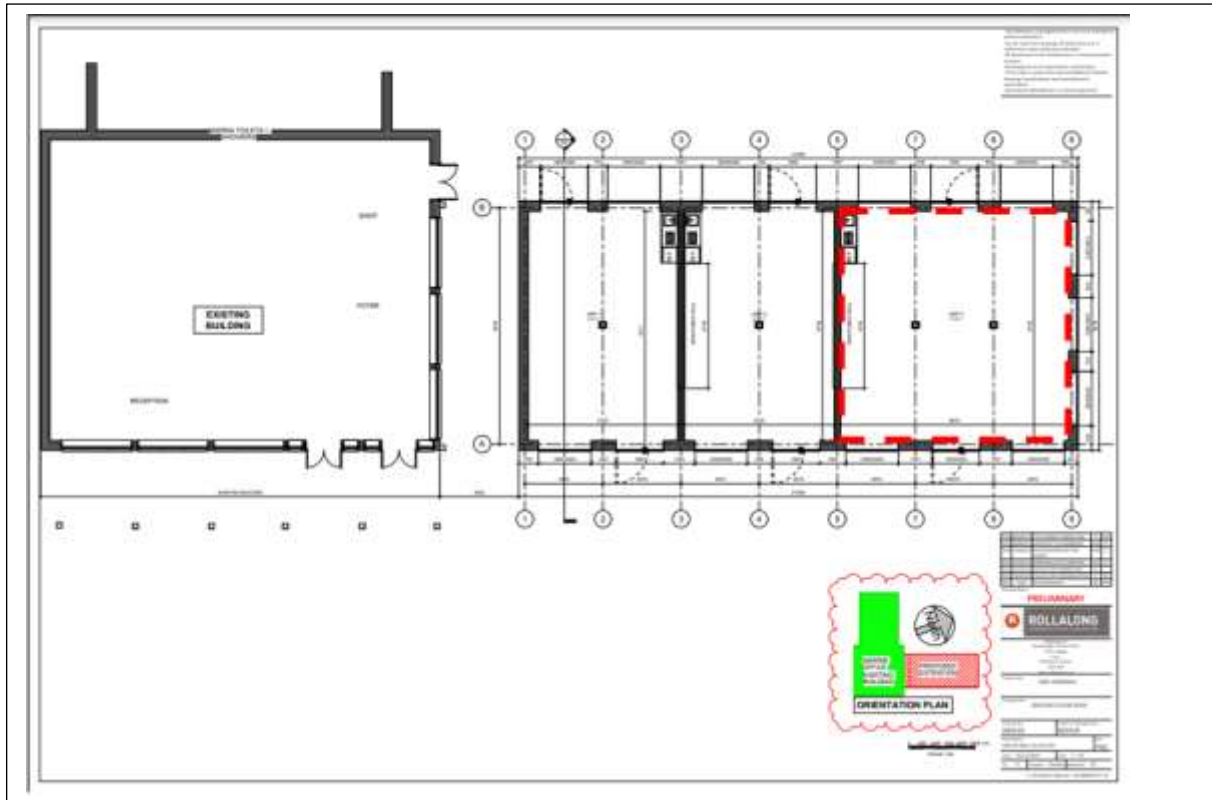
This time, accommodation within the roofspace was deleted from the proposals, being as there was insufficient headroom under the shallow roofslope. Hours of use were not conditioned. Again, condition 5 repeated the wording of condition 3 to APP/22/00479, for the same reasoning. Again, The Conservancy commented –

"No objection, subject to –

(a) the planning conditions imposed on APP/18/00783 and APP/22/00479 being reimposed to this consent, especially condition 3;

(b) removing the permitted development rights that would allow the offices to be lost to residential conversion; and,

(c) That the solar panels to be affixed shall be wholly black in colour, including their surrounds, which shall not be bare aluminium/metal". The approved plans are shown below, with unit 3 highlighted by a red line. The extension footprint was modified to a simple rectangle, set off the marina office, but linked through the roof, leaving an undercroft/alley between the old and the new.



Policy freamework*

NPPF – Paragraphs 1-3, 6-12, 20, 28, 38-42, 47, 54-55, 85, 88-89, 90-93, 95-97, 102, 108-112, 114-115, 123-124, 135, 157-158, 165, 174, 180, 182, 186, 224-225; **NPPG ID's** – 2a, 2b, 6-8, 21a, 21b, 30-31, 37, 53-54, 66, 74; **HBLP** - CS1-CS2, CS4, CS11- CS12, CS17, CS20, DM1, DM3, DM10-DM14, AL1-AL2; **CHMP** – 1-2.

4.1 Matters of principle –

4.1.1 The Conservancy has already raised no objection on several occasions for an extension to house office accommodation related to marine enterprise and its related visual impact to the National Landscape. Whilst no hours of use were conditioned, it is possible that a gymnasium might stay open longer into the evening, compared to an office, with more potential for light and noise - (were the gym to have a sound system and doors left open for natural ventilation) – pollution, in this quite remote part of the harbour.

4.1.2 National planning policy first seeks to direct such uses as a gymnasium to established town/district/local centres under paragraphs 90-93 and 95 of the NPPF, however, it is noted that the sequential approach is not to be applied to –

“other small scale rural development”,

Which is a matter for the local planning authority’s interpretation under paragraph 93 and paragraph 88 says policies and decisions should support –

“...sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings”.

“...and development of accessible local services and community facilities, such as ... sports venues”

4.1.3 Paragraph 89 goes on to state –

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”.

4.1.4 Policies CS4, CS17, DM3 and AL2 of the adopted development plan reiterate that approach.

4.1.5 Lastly, Policy 2 of the Chichester Harbour Management Plan, which is a material planning consideration under Policy CS12 of the Development Plan, seeks to retain floorspace related to marine enterprise.

5.0 Conclusions

- 5.1 The submitted particulars do not indicate any viability appraisal of why an office related to marine enterprise could not be successful at the site, nor why a gynasium could not be accommodated in any of the Council's defined 'centres'. As such, the proposals fail the relevant policy tests of national and local planning policy and should be resisted.

SRL - For CHC 20.5.24 Planning Consultative Committee

Comments requested by: 20.5.2024.

***Abbreviations used:**

- **NPPF** – National Planning Policy Framework (December 2023)
- **NPPG** – National Planning Practice Guidance (2014 onwards)
- **HBLP** – Havant Borough Local Plan (2011/2014)
- **CHMP** – Chichester Harbour Management Plan (2019-2024)

